

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Todd Wight (Reg. No. 45,218) on 4/21/2010.

The application has been amended as follows:

Claim 25: Line 7, "one bridge strut and" has been changed to --one bridge strut and each of the rings--.

Claim 44: Line 6, "one bridge strut and" has been changed to --one bridge strut and each of the rings--.

Claims 1-24 have been canceled.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Formal drawings of Figures 1-6 are to be submitted, similar to that of Figures 2A, 7 and 8 submitted 12/14/2007. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or suggest a motivation to combine each of the rings of the stent having a first electrical conductivity, while each of the bridges of the rings includes a portion having a second electrical conductivity at least an order of a magnitude lower than the first electrical conductivity. The prior art of record,

specifically, Frantzen (US 5,741,327), discloses that rings 70 and 50 have different electrical conductivities and that only the bridges include both a first electrical conductivity (94) and a reduced electrical conductivity (64). The first and fourth rings as annotated in Figure 8 of the Office Action dated 1/14/2008 are made of gold, while the second and third rings are made of nickel titanium alloy. The rings could not be rearranged because gold has an electrical conductivity which is greater than that of nickel titanium alloy. Thus, it would not have been obvious to one of ordinary skill in the art at the time of the invention to have only the bridged portions to be at least an order of magnitude lower than the first electrical conductivity.

Allowable Subject Matter

4. Claims 25-59 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARAH A. SIMPSON whose telephone number is 571-270-3865. The examiner can normally be reached on Monday - Friday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anhtuan Nguyen can be reached on 571-272-4963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sarah A Simpson/
Examiner, Art Unit 3731
4/21/2010

/Anhtuan T. Nguyen/
Supervisory Patent Examiner, Art Unit 3731
4/26/2010